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09/389,299	09/02/1999	TETSUYA KOBAYASHI	03327.2220	5264

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EXAMINER

LAFORGIA, CHRISTIAN A

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 07/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/389,299

Applicant(s)

KOBAYASHI ET AL.

Examiner

Christian La Forgia

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. The amendment filed on 4 June 2003 is noted and made of record.
2. Claim 12 has been cancelled as per applicant's request.
3. Claims 1 through 11, and 13 through 16 are presented for examination.

***Continued Examination Under 37 CFR 1.114***

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4 June 2003 has been entered.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 through 9 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 5,669,040 to Hisatake, hereinafter Hisatake.
7. As per claim 1, Hisatake teaches a job execution control apparatus, comprising:
8. means for setting a condition of a job which is directed to a pausing job (Figures 6, 7 [blocks U12a], 8 [blocks U12a, L2, L3, L4], 9 [block SU5], 10 [blocks SU21, SU28], 11, 12 [block S31, S34], 14, 16, 24a, 24b, 24c, 25 [blocks U51b], 28 [block S105]; column 12, lines 48-53; column 13, lines 15-20);

Art Unit: 2131

9. means for making an execution of such a job satisfying the condition pause in response to a predetermined event (Figures 9 [blocks SU9, SU10], 10 [blocks SU32, SU33], 12 [block S34], 28 [blocks S102, S104, S115, S116]; column 13, lines 30-62; column 16, lines 11-23);
10. means for displaying the pausing job (Figures 6, 7 and [blocks L2, L3, L4], 9 [block U11], 11, 14, 16, 24a, 24b, 24c, 25, 26, 27; column 2, lines 42-47; column 12, lines 21-39);
11. means for specifying at least one job among the displayed jobs (Figures 7 and 8 [blocks U12a, U12c], 9 [block SU4], 10 [block SU27], 14 [block U34c], 16, 23 [block SO4], 25 [block U25c], 26 [block U62c], 27 [block U72d]; column 13, line 62 to column 14, lines 17; column 15, lines 20-33);
12. wherein the job execution control apparatus is configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs (Figures 22 [block S14], 23; column 14, lines 42-60; column 15, lines 32-49). The pausing of a job is directed to stopping a current print state and putting it into a wait state, the wait state being equivalent to pausing in response to a predetermined event.
13. Regarding claim 2, Hisatake teaches a means for stopping the specified job (Figures 7 and 8 [block U12b], 9 [block SU5], 10 [blocks SU21, SU28], 14 [block U34b], 16 [block U34b], 25 [block U52b], 26 [block U62b], 27 [block U72c]; column 13, lines 15-20).

Art Unit: 2131

14. With regards to claim 3, Hisatake teaches a means for restarting the specified job (Figures 7 and 8 [block U12c], 9 [block SU6], 10 [blocks SU22, SU29], 14 [block U34c], 16 [block U34c], 25 [block U52c], 26 [block U62c], 27 [block U72d]; column 13, lines 15-20).

15. As per claim 4, Hisatake teaches that the condition of the job which is directed to the pausing job is specified by a kind of the job (Figures 7 and 8 [blocks L1, L2, L3, L4], 14 [blocks U31, U32, U33, U34e]; column 17, line 45 to column 18, line 5).

16. With regards to claim 5, Hisatake teaches the condition of the job which is directed to the pausing job is specified by a parameter of the job (Figure 27 [block U72b]; column 13, lines 30-62).

17. As per claim 6, Hisatake teaches the pausing job displaying means displays only the pausing job (Figures 6, 7 and [blocks L2, L3, L4], 9 [block U11], 11, 14, 16, 24a, 24b, 24c, 25, 26, 27; column 2, lines 42-47; column 12, lines 21-39).

18. As per claim 7, Hisatake teaches the pausing job displaying means also displays jobs other than the pausing job (Figures 6, 7 and [blocks L2, L3, L4], 9 [block U11], 11, 14, 16, 24a, 24b, 24c, 25, 26, 27; column 2, lines 42-47; column 12, lines 21-39).

Art Unit: 2131

19. Regarding claim 8, Hisatake teaches the predetermined event is an instruction input operation from the user (Figures 7 and 8 [blocks U12a], 9 [blocks SU9, SU10], 10 [blocks SU32, SU33], 12, 22, 28; column 13, line 56 to column 14, line 17).

20. As per claim 9, Hisatake teaches the means for setting an additional condition under which the job pauses in addition to the condition set by the condition setting means (Figures 7 and 8 [blocks U12a], 9 [blocks SU9, SU10], 10 [blocks SU32, SU33], 12, 22, 28; column 13, line 56 to column 14, line 17).

21. As per claim 11, Hisatake teaches a job execution control apparatus comprising:

22. means for storing a first condition satisfied by a job which is stopped without any restriction in response to a predetermined event and a second condition satisfied by a job which pauses in response to the predetermined event (Figures 6, 7 [blocks U12a], 8 [blocks U12a, L2, L3, L4], 9 [block SU5], 10 [blocks SU21, SU28], 11, 12 [block S31, S34], 14, 16, 24a, 24b, 24c, 25 [blocks U51b], 28 [block S105]; column 12, lines 48-53; column 13, lines 15-20);

23. means for stopping the job satisfying the first condition in response to the predetermined event (Figures 7 and 8 [block U12b], 9 [block SU5], 10 [blocks SU21, SU28], 14 [block U34b], 16 [block U34b], 25 [block U52b], 26 [block U62b], 27 [block U72c]; column 13, lines 15-20);

24. means for making the job satisfying the second condition pause in response to the predetermined event (Figures 7 and 8 [blocks U12a], 9 [blocks SU9, SU10], 10 [blocks SU32, SU33], 12, 22, 28; column 13, line 56 to column 14, line 17);

Art Unit: 2131

25. means for displaying at least the pausing job (Figures 6, 7 and [blocks L2, L3, L4], 9 [block U11], 11, 14, 16, 24a, 24b, 24c, 25, 26, 27; column 2, lines 42-47; column 12, lines 21-39);
26. means for designating at least one job from the displayed jobs to stop, or restart the designated job (Figures 7 and 8 [block U12b], 9 [block SU5], 10 [blocks SU21, SU28], 14 [block U34b], 16 [block U34b], 25 [block U52b], 26 [block U62b], 27 [block U72c]; column 13, lines 15-20); and
27. wherein the job execution control apparatus is configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs (Figures 22 [block S14], 23; column 14, lines 42-60; column 15, lines 32-49).
28. As per claim 13, Hisatake teaches a job execution control apparatus, comprising:
29. display means provided with a touch panel function, for displaying information related to one job that is being executed (Figures 6, 7 and [blocks L2, L3, L4], 9 [block U11], 11, 14, 16, 24a, 24b, 24c, 25, 26, 27; column 2, lines 42-47; column 12, lines 21-39);
30. means for displaying a button for instructing a stop of the one job on the display means (Figures 7 and 8 [block U12b], 9 [block SU5], 10 [blocks SU21, SU28], 14 [block U34b], 16 [block U34b], 25 [block U52b], 26 [block U62b], 27 [block U72c]; column 13, lines 15-20);
31. means for stopping the one job when a touch operation is carried out with respect to the displayed button (Figures 7 and 8 [block U12b], 9 [block SU5], 10 [blocks SU21, SU28], 14

Art Unit: 2131

[block U34b], 16 [block U34b], 25 [block U52b], 26 [block U62b], 27 [block U72c]; column 13, lines 15-20);

32. a predetermined key provided on a portion except for the display means (Figures 7 and 8 [block U12b], 9 [block SU5], 10 [blocks SU21, SU28], 14 [block U34b], 16 [block U34b], 25 [block U52b], 26 [block U62b], 27 [block U72c]; column 13, lines 15-20); and,

33. means for storing a condition of a job which is directed to a pausing job (Figures 7 and 8 [blocks L1, L2, L3, L4], 14 [blocks U31, U32, U33, U34e]; column 17, line 45 to column 18, line 5);

34. means for making the job which satisfies the condition pause when the predetermined key is operated (Figures 7 and 8 [blocks L1, L2, L3, L4], 14 [blocks U31, U32, U33, U34e]; column 17, line 45 to column 18, line 5); and

35. wherein the job execution control apparatus is configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs (Figures 22 [block S14], 23; column 14, lines 42-60; column 15, lines 32-49).

36. As per claim 14, Hisatake teaches a job execution control apparatus, comprising:

37. means for storing a condition of a job which is directed to a pausing job (Figures 7 and 8 [blocks L1, L2, L3, L4], 14 [blocks U31, U32, U33, U34e]; column 17, line 45 to column 18, line 5);

38. means for making the stored job in response to a predetermined event (Figures 6, 7 [blocks U12a], 8 [blocks U12a, L2, L3, L4], 9 [block SU5], 10 [blocks SU21, SU28], 11, 12



Art Unit: 2131

[block S31, S34], 14, 16, 24a, 24b, 24c, 25 [blocks U51b], 28 [block S105]; column 12, lines 48-53; column 13, lines 15-20);

39. means for displaying the pausing job (Figures 6, 7 and [blocks L2, L3, L4], 9 [block U11], 11, 14, 16, 24a, 24b, 24c, 25, 26, 27; column 2, lines 42-47; column 12, lines 21-39);

40. means for specifying at least one job among the displayed jobs (Figures 7 and 8 [blocks U12a, U12c], 9 [block SU4], 10 [block SU27], 14 [block U34c], 16, 23 [block SO4], 25 [block U25c], 26 [block U62c], 27 [block U72d]; column 13, line 62 to column 14, lines 17; column 15, lines 20-33); and

41. wherein the job execution control apparatus is configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs (Figures 22 [block S14], 23; column 14, lines 42-60; column 15, lines 32-49).

42. As per claim 15, Hisatake teaches a job execution control apparatus capable, comprising:

43. means for storing an attribute of a job which is directed to a pausing job (Figures 6, 7 [blocks U12a], 8 [blocks U12a, L2, L3, L4], 9 [block SU5], 10 [blocks SU21, SU28], 11, 12 [block S31, S34], 14, 16, 24a, 24b, 24c, 25 [blocks U51b], 28 [block S105]; column 12, lines 48-53; column 13, lines 15-20); and,

44. means for making the stored job having the stored attribute pause in response to a predetermined event (Figures 6, 7 [blocks U12a], 8 [blocks U12a, L2, L3, L4], 9 [block SU5], 10 [blocks SU21, SU28], 11, 12 [block S31, S34], 14, 16, 24a, 24b, 24c, 25 [blocks U51b], 28 [block S105]; column 12, lines 48-53; column 13, lines 15-20);

Art Unit: 2131

45. means for displaying the pausing job (Figures 6, 7 and [blocks L2, L3, L4], 9 [block U11], 11, 14, 16, 24a, 24b, 24c, 25, 26, 27; column 2, lines 42-47; column 12, lines 21-39); and

46. means for stopping at least one job among the displayed jobs (Figures 7 and 8 [block U12b], 9 [block SU5], 10 [blocks SU21, SU28], 14 [block U34b], 16 [block U34b], 25 [block U52b], 26 [block U62b], 27 [block U72c]; column 13, lines 15-20); and

47. wherein the job execution control apparatus is configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs (Figures 22 [block S14], 23; column 14, lines 42-60; column 15, lines 32-49).

48. Regarding claim 16, Hisatake teaches a job execution control apparatus comprising:

49. means for storing a condition of a job which is directed to a pausing job (Figures 7 and 8 [blocks L1, L2, L3, L4], 14 [blocks U31, U32, U33, U34e]; column 17, line 45 to column 18, line 5);

50. means for making the stored job pause in response to a predetermined event (Figures 6, 7 [blocks U12a], 8 [blocks U12a, L2, L3, L4], 9 [block SU5], 10 [blocks SU21, SU28], 11, 12 [block S31, S34], 14, 16, 24a, 24b, 24c, 25 [blocks U51b], 28 [block S105]; column 12, lines 48-53; column 13, lines 15-20);

51. means for notifying at least an identifier of the pausing job in response to a predetermined event (Figures 9 [blocks SU9, SU10], 10 [blocks SU32, SU33], 12 [block S34], 28 [blocks S102, S104, S115, S116]; column 13, lines 30-62; column 16, lines 11-23);

Art Unit: 2131

52. means for stopping at least one job instructed by the instruction apparatus among the pausing jobs (Figures 7 and 8 [block U12b], 9 [block SU5], 10 [blocks SU21, SU28], 14 [block U34b], 16 [block U34b], 25 [block U52b], 26 [block U62b], 27 [block U72c]; column 13, lines 15-20); and,

53. wherein the job execution control apparatus is configured for executing a plurality of jobs in a parallel manner and is further configured for pausing at least one of the plurality of jobs independent of the remaining plurality of jobs (Figures 22 [block S14], 23; column 14, lines 42-60; column 15, lines 32-49).

***Claim Rejections - 35 USC § 103***

54. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

55. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hisatake in lieu of obviousness.

56. As per claim 10, Hisatake does not teach the additional condition to be defined as to whether the job corresponds to a background job, or a foreground job. It would have been obvious to one of ordinary skill in the art at the time the invention was made to teach the additional condition to be defined as to whether the job corresponds to a background job, or a foreground job in the display means taught in figure 8, block U2. One would be motivated to include such a function as to determine the importance of the job, and whether to perform any alterations on the job.

*Conclusion*


57. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian La Forgia whose telephone number is (703) 305-7704. The examiner can normally be reached on Monday thru Thursday 7-5.

58. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7240 for regular communications and (703) 746-7239 for After Final communications.

59. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Christian LaForgia  
Patent Examiner  
Art Unit 2131

clf  
July 16, 2003

  
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